

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

19-CR-227-LJV

23-CR-37-LJV

PETER GERACE, JR.,

Defendant.

GOVERNMENT'S FIRST AMENDED EXPERT DISCLOSURE

THE UNITED STATES OF AMERICA, Trini E. Ross, United States Attorney for the Western District of New York, Joseph M. Tripi, Nicholas T. Cooper, Casey L. Chalbeck, and Caitlin M. Higgins, Assistant United States Attorneys, of counsel, hereby submits its expert disclosure pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, and requests leave to submit such other disclosures as may be appropriate prior to at the close of the evidence. The government will be calling witnesses pursuant to Rule 702 of the Federal Rules of Evidence who will have specialized knowledge and/or provide expert testimony about matters which will assist the trier of fact to understand the evidence and/or to determine a fact in issue. The government's expert witnesses will be as follows:

1. REBECCA BENDER, SUBJECT MATTER EXPERT ON SEX AND HUMAN TRAFFICKING (Los Angeles, California)

Date: TBD

Length of Testimony: 4 Hours

Ms. Bender is an expert in the areas of sex and human trafficking. She is the founder and CEO of the Rebecca Bender Initiative ("RBI") and Elevate Academy. Ms. Bender holds

a Master's Degree in Religious Studies. Through the RBI, Ms. Bender works to educate law enforcement, community leaders, and others to identify, resource, and address sex trafficking. Additionally, Elevate Academy, which Ms. Bender founded, is the largest online school for human trafficking survivors, offering courses in professional development and economic empowerment to survivors of sex trafficking at no cost.

Ms. Bender was appointed to the National Advisory Council to Congress by the United States Department of Health and Human Services. She has received numerous public and private awards for her work, as listed page 5 of her curriculum vitae ("CV"), which is attached and incorporated by reference as **Exhibit A**. Ms. Bender has testified or assisted as an expert witness in State Courts in California, Oregon, and Texas. In the last four years specifically, Ms. Bender has testified or assisted as an expert in the following proceedings:

- State of California v. Herbert Goodwin (testified at trial)
- State of California v. Jonathan Boyd (testified at trial)
- State of California v. Samantha Johnson (testified at trial)
- State of Oregon v. Virgil Rucker (assisted as expert)
- State of Oregon v. Javeion Drum (assisted as expert)
- United States v. Tremont "Macknificent" Blakemore (assisted as expert)
- State of Texas v. Damon Sharrod Cross (testified at trial)
- Plaintiffs v. Lorin Ashton (drafted report and was deposed)

Ms. Bender has interacted with over 1700 human trafficking survivors through RBI and she has personal experience as an individual who was sex trafficked for approximately six years, including through strip clubs. Ms. Bender trains professionals and law enforcement

agencies, including members of the FBI and the Department of Homeland Security Investigations, to identify and investigate sex trafficking committed through the use of force, fraud, and coercion. She has trained over 120,000 community professionals. Her digital classes and online resources have had over 4 million downloads on the internet. Ms. Bender has also written four books as detailed in her CV.

In this case, Ms. Bender will testify regarding:

- The dynamics of sex trafficking, including the use of force, fraud, and coercion by sex traffickers.
- The methods of psychological control and manipulation traffickers use over their victims to ensure compliance, including, among others: threats, rewards, violence, preying on known drug addiction or dependence, and false promises;
- The use of drugs to coerce victims into commercial sex acts, including providing drugs to, and then withholding drugs from, known drug addicts to coerce victims into engaging in commercial sex acts.
- Sex traffickers' use of threats to the financial, professional, and reputational well-being of their victims to coerce commercial sex acts. This will include testimony regarding coercion through an employer's control of work shifts and outside employment opportunities, and how the threatening loss of livelihood coerces a victim into engaging in commercial sex acts.
- Why victims continue to engage in sex trafficking when they do not want to, including fear of violence, drug withdrawal, or economic consequences.
- How some sex trafficking victims feel a sense of loyalty to, or dependence upon, their traffickers.
- How it is rare for sex trafficking victims to promptly report their traffickers to law enforcement.
- How traffickers often identify potential victims, including by looking for someone that appears (among other characteristics) easy to control or has a characteristic or need the trafficker can exploit, such as a drug addiction, a need for shelter, or inadequate support outside of the relationship with the trafficker.

Ms. Bender's CV is attached hereto as **Exhibit A**. Ms. Bender has authorized the use of her electronic signature to indicate that she has approved the above statement..

s/Rebecca Bender

**2. MICHAEL J. PREISSER, RETIRED FORMER SPECIAL AGENT,
FEDERAL BUREAU OF INVESTIGATION (Rochester, NY)**

Date: TBD

Length of Testimony: 2 hours

Special Agent Preisser has served as an FBI Special Agent for more than twenty-five years. He graduated from the FBI Academy in Quantico, Virginia in 1996. During his time with the FBI, he has participated in investigations involving drug trafficking and organized crime matters, including multiple long-term narcotics investigations and investigations involving court-authorized interception of wire and oral communications. His investigations have been in the Western District of New York. Special Agent Preisser has had the opportunity to work with other FBI agents and other law enforcement agents and officers of varying experience levels, who have also investigated drug trafficking networks. As a result of Special Agent Preisser's experience, he is familiar with how controlled substances are obtained, diluted, packaged, distributed, sold, and used in the framework of drug trafficking in the Western District of New York. Furthermore, Special Agent Preisser is not a fact witness in this case. In other words, he has no personal knowledge of the underlying investigation.

Special Agent Preisser, through his training and experience, is familiar with the means and methods of trafficking of cocaine, heroin, narcotic pills, marijuana, and other controlled substances in the Western District of New York and throughout the country. He will testify

that cocaine, heroin, narcotic pills, and most marijuana travels in interstate and foreign commerce. He will also testify that laundering U.S. currency through casinos is a common method of money laundering used by narcotics traffickers. His curriculum vitae is attached as **Exhibit B**.

Below, SA Preisser has authorized the use of his electronic signature to indicate that he has reviewed the above statement.

s/Michael J. Preisser

DATED: Buffalo, New York, September 23, 2024

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Exhibit A

REBECCA BENDER, MACT

Los Angeles, CA | www.rebeccabenderinitiative.org | info@rebeccabender.org

SUMMARY

Rebecca Bender is an experienced communicator, subject matter expert, and leader with over sixteen years of dedicated work in combating domestic sex trafficking. A recognized national forerunner in the field, she has successfully worked on numerous cases, trained over 120,000 professionals including FBI, Homeland Security, local law enforcement, medical professionals, and provided direct assistance in operations and recovery of victims across the United States. As a CEO of Elevate Academy, she has created impactful programs, authored influential books and curriculum, and has served on advisory councils informing national policy including appointed by the U.S. Attorney General to the National Advisory Council and Co-Chaired the Oregon Dept. of Justice Task Force. Elevate Academy has mentored nearly 1,700 survivors of trafficking in rebuilding their lives after escape.

PROFESSIONAL EXPERIENCE

CEO & Founder

Elevate Academy, Global

January 2014 - Present

- Developed the largest online educational platform for survivors of human trafficking in the world, currently serving nearly 1,700 students across 600 U.S. cities and 22 countries.
- Spearheaded the design and implementation of curricula focused on professional development, leadership, and economic empowerment for survivors.
- Successfully built and managed a team that supports the strategic goals of the academy, ensuring the delivery of high-quality educational resources.
- Collaborated with global stakeholders to expand the reach and impact of the academy, fostering a supportive community for survivors to achieve their goals.

Subject Matter Expert & Consultant

Various Organizations and Agencies

2010 - Present

- Provided expert testimony and consultation in legal cases across multiple states, assisting law enforcement and prosecutors.
- Advised on the development of strategic plans for non-profits, enhancing their operational efficiency and effectiveness in addressing human trafficking.
- Conducted extensive training sessions for law enforcement agencies, including the FBI, VICE units, and international organizations, focusing on best practices in combating human trafficking and undercover operations.

Executive Producer

Showtime, *"Coercion"*

2023 - Present

- Collaborated with industry professionals to produce content that raises awareness about human trafficking and its societal impact through a scripted television drama.
- Engaged in the creative development process, ensuring the accurate portrayal of human trafficking issues in media.

Producer/Director

A21

2022

- Co-Produced and Co-Directed the awareness film *Secrets* focusing how trafficking looks through online and in person exploitation.

Council Member

United States National Advisory Council

2020 – Present

- Appointed by the U.S. Attorney General to serve a four-year seat with a team of experts that advise Congress on policies per state on human trafficking.
- Direct point of contact for Texas and Oregon Governors.

Council Member

Aequitas – Just Exits

2022 - Present

- Serve on the Survivor Council to participate in training prosecutors and law enforcement across the country on a variety of topics, including but not limited to:
 - Intersectionality of Intimate Partner Violence and Human Trafficking
 - Coercive Love
 - Writing Reports
 - Making the Assignment: Large & Small Scale Operations

Co-Chair

Oregon Dept of Justice Human Trafficking Task Force

2018 – 2020

- Co-Chaired the state task force under the Attorney General to assess and implement county strategies combatting human trafficking.

Advisory Board

Empower Her Network

2020 – Present

- Assist on the Program Committee at evaluating program, reviewing metrics for opportunities and assess locations for growth.

Advisory Board

Polaris Project

2023 – Present

- Member of the Survivor Resiliency Fund.

Task Force Member

North Texas Trafficking Task Force
2020-2022

- Served on Homeland Security's task force, assisting on undercover operations and curriculum review for National HIS HT model.

Peer Reviewer

National Human Trafficking Training and Technical Advisory Center
2018 – 2024

- Reviewed grant applications from those seeking federal funding for anti-human trafficking work.

Consultant & Strategic Advisor

Multiple Agencies and Organizations (see list below)
2010 - Present

- Advised cities and community leaders in assessing and improving state-wide responses to human trafficking, facilitating the formation of multidisciplinary teams.
- Assisted organizations in building networks and resources that enhance service delivery to survivors.

EDUCATION

UCLA Film School

Producers Program
June 2023 – September 2024

Bethel University

Master's Degree in Biblical Thought with a focus on Cultural Contextualization
September 2018 – June 2022

Rogue Community College

Bachelor's Equivalent with a focus on Criminal Justice
2010 - 2018

SELECTED LEGAL CASES

Testified in the following cases:

State of California v. Herbert Goodwin, Fresno County. Nov 2017

State of California v. Jonathan Boyd, Fresno County. Oct 2018

State of Texas v. Damon Cross, Dallas County. Oct. 2022

Assisted in evidence review and interviewed the victim of trafficking (often going into the jail) with lawyer present to assist in forming their case:

State of California v. Samantha Johnson, Merced County
State of Oregon v. Virgil Rucker, Jackson County
State of Oregon v. Javeion Drum, Jackson County
State of Oregon v. Hannah Martin, Jackson County

Retained as expert, reviewed evidence and prepared to testify, resulted in a plea deal:

State of Texas v. Duane Owens, Jefferson County
US v. Gonzalez, Western District of New York.
State of Texas v. Hendrick Jones, Dallas County

Upcoming Trial set for:

US v. Gerace and Bongiovanni, Western District of New York

Undercover Operations Participated in:

HSI DFW (multiple occasions)
Houston PD Superbowl
Minneapolis PD Superbowl at Command Post
FBI Seattle Operation Cross Country
Portland Prostitution Bureau
Jackson County Crisis Response

Assisted in evidence review:

Long Island Serial Killer – FBI (escort ad reviews)

CONSULTING & ADVISORY ROLES

- Polaris Project
- Shared Hope International
- G6 Hospitality
- Central Coast Dream Center
- Rejuvenating Women
- Homeland Security
- Oregon D.O.J. Task Force
- CRI – Erbil, Iraq
- Streetlight
- EPIK
- Aequitas
- A21
- New Friends New Life

- Love146
 - Unbound
 - Dallas Police Department
 - PEHT
-

AWARDS & RECOGNITION

- 2024: **Guiding Star Award**
 - 2023: **Abolitionist Award**
 - 2021: **Project Moses Award**
 - 2020: **Grant Tank Award Winner**
 - 2019: **Equinox Award**
 - 2018: **Congressional Appreciation**
 - 2017: **FBI Recognition Award**
 - 2015: **Female Overcomer**
 - 2016: **Hero to Our Generation**
 - Rotarian Community Service Award
 - Paul Harris Fellow
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MEDIA APPEARANCES

- TedX
 - Washington Post
 - Forbes
 - CNN Freedom Day
 - The Today Show
 - CNN Political Response
 - Tamron Hall Show Huffington Post
 - NY Post
 - Deadline: Crimes
 - Associated Press
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PUBLICATIONS

- In Pursuit of Love (Harper Collins: Zondervan)
 - Exodus (Harper Collins: Zondervan)
 - Roadmap to Redemption (Self-Published)
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SELECTED PRESENTATIONS & SPEAKING ENGAGEMENTS

- World Summit, Jimmy Carter Center: Law enforcement track facilitation
- Rotary International: Speaker with Ashton Kutcher and Jon Cena

- Crimes Against Women Conference: Case study presentations
- International Chief of Police Association Academy
- FBI Director Training: combatting human trafficking and case study
- VICE training: Los Angeles, Phoenix, Chicago, Seattle and more
- FBI Operation Cross Country, Seattle Washington
- Minneapolis Police Super Bowl Command Post
- International Chief of Police Association Academy
- JUST Conference Presenter 2014, 2015, 2016, 2017, 2018
- Crimes Against Women Conference, Dallas, TX: Illusion of Choice Case Study,
- Oregon State Capitol testimony: SB673 2014
- Oxford University: Poppy Project
- European Freedom Network: Berlin, Germany
- Royal Canadian Mounted Police: Nova Scotia
- International Association of Human Trafficking Investigators 2020, 2021, 2022, 2023
- Mayor's Office to End Violence Panel, Manhattan, NY
- Multnomah ESD – Bars to Bridges
- Tippecanoe Superior Court
- Southern Wisconsin Conference on Behavioral Health
- MD Investigators Human Trafficking Seminar
- Indiana Regional Human Trafficking Investigators Conference
- NTTTF Trauma Informed Interviewing
- DPD HTU - Dallas, TX HT Unit
- 2024 Western Region Human Trafficking Summit (RISSWEST)
- Financial Crimes and Counter Terrorism Convention 2024
- ACAMS – Money Laundering Tactics
- AHLA – No Room for Trafficking
- Texas A&M
- Weslyn Indiana Summit
- Southern Oregon University
- World Without Exploitation Now & Next Conference 2024
- Citrus Network – Miami, FL 2024
- Idaho Juvenile Justice Conference 2022
- Child Advocacy of New York 2022
- Dallas Children's Advocacy Center Forensic Interviewing
- Global Leadership Summit (Park City, UT & Kohl, WI)
- IACP – Analyzing Culpability
- U.S. Dept of State – Challenges to Identifying Victims
- Central Valley Fresno Anti-Trafficking Conference
- Nebraska Juvenile Justice
- NoCo Human Trafficking Symposium – Northern Colorado University
- Additional local community events and fundraisers

DIRECT SERVICE

- **Founder & CEO**

Rebecca Bender Initiative

January 2015 - Present

- Provided direct mentorship and advocacy for survivors, helping them achieve economic empowerment.
- Assisted in the crisis response and relocation of multiple victims of trafficking in partnership with various police detectives and government agencies.

PROFESSIONAL AFFILIATIONS

- **U.S. National Advisory Council to Congress:** Appointee
- **DOJ Oregon Trafficking Council:** Appointee
- **Polaris Project National Fund Council**

Peer Reviewed Journal Participation

Hedrick McKenzie, A., Friedman, B., & Johnston, A. (2023). Adolescents' Victim-Blaming Responses to Narratives About Sex Trafficking: Strategies for Curriculum Development. *Violence Against Women*, 29(9), 1811-1831. <https://doi.org/10.1177/10778012221127723>

Richie-Zavaleta, A. C., & Balci, T. (2024). RESEARCH BRIEF: From Survivor to Thriver: Analyzing Challenges and Support in the Reintegration of Human Trafficking Survivors.

Sorna, U. S., & Reza, S. (2023). Sex Trafficking: A Modern-Day Slavery and Exploitation in Modern Times. *International Journal of Research and Innovation in Social Science*, 7(6), 410-414.

Zoi, M., & Ciluffo, K. (2022). Enter The Darkness To Bring Others Into The Light: Human Trafficking: The Modern-Day Version of Slavery. *Journal of Student Research*, 11(2).

Boyer, D. K. (2020). Prostitution during the pandemic: Findings show need for Nordic Model. *Dignity: A Journal of Analysis of Exploitation and Violence*, 5(1), 7.

Merodio, G., Duque, E., & Axt Pena, J. C. (2020). They are not Romeo pimps, they are traffickers: overcoming the socially dominant discourse to prevent the sex trafficking of youth. *Qualitative Inquiry*, 26(8-9), 1010-1018.

Nichols, A., Slutsker, S., Oberstaedt, M., K. (2023). Team Approaches to Addressing Sex Trafficking of Minors: Promising Practices for a Collaborative Model. *Societies* 2024, 13, 66. *Frontiers in Organizing Processes*, 35.

Bintliff, A., DiPrete Brown, L., Vollinger, L. Alonso, A., & Gieran, J. (2020). Policies and Services for Survivors of Sex Trafficking: A Report of the 4W STREETS of Hope For a at the University of Wisconsin-Madison, July 2015-September 2018.

Sadler, R. (2019). *Vulnerable: rethinking human trafficking*. B&H Publishing Group.

Murphy, L. (2019). *The new slave narrative: The battle over representations of contemporary slavery*. Columbia University Press.

Alston, E. (2021). *A Systems Theory Approach to Sex Trafficking in Portland, Oregon: A Case Study*. Johnson University.

Wick, J. (coming 2024). *Post Health Education (untitled)*. University of Connecticut.

Exhibit B

Michael J. Preisser

FBI Special Agent

Rochester, NY

RRA-3, Criminal Enterprise Investigator

Experience

FBI Special Agent – Buffalo Field Office

September 1996 - Present

- July 2012 – Present – Assigned to the Rochester, New York Resident Agency. Assigned to conduct criminal investigations involving violent street gangs and outlaw motorcycle gangs, transnational organized crime, and DTO's. Utilized investigative techniques such as developing informants, conducting interviews, conducting surveillance, executing search warrants, executing arrest warrants, examining business records, preparing written reports, preparing search warrant affidavits, preparing affidavits to obtain court authorization for the interception of wire, electronic, and oral communications, providing testimony before the Federal Grand Jury, preparing cases for trial in U.S. District Court, and testimony at various hearings in U.S. District Court. Case Agent on two long term DTO investigations, both of which utilized the court authorized interceptions of wire, electronic and oral communications. Both investigations utilized numerous controlled purchases of narcotics of various quantities from known subjects, and both investigations resulted in the dismantlement of major criminal organizations. Case agent on one long term transnational organized crime case involving cooperation/liaison with foreign government. This investigation is ongoing and to date has utilized multiple controlled purchases of various types and quantities of narcotics.
- February 2010 – June 2012 - assigned to the FBI Buffalo Field Intelligence Group and tasked with the development of human intelligence (HUMINT) sources in support of ongoing criminal and national security investigations.
- February 2009 – February 2011 – Invited to provide a two hour block of instruction to law enforcement recruits attending the Finger Lakes Law Enforcement Academy (FLLEA). The instruction was provided three years in a row and included instruction on traditional organized crime, various ethnic criminal enterprises, and outlaw motorcycle groups.
- June 1998 – June 2006 – member of the FBI Buffalo Field Office Special Weapons and Tactics (SWAT) Team. As a member of the SWAT team, conduct training to be prepared to intervene in dangerous situations like hostage crises, aircraft and vehicle assaults, WMD missions, and high-risk arrests. Regularly participate in the execution of high-risk arrests and search warrants.
- September 1996 – February 2010 – assigned to the Rochester, New York Resident Agency. Assigned to conduct criminal investigations involving Bank Robberies, Fugitives, Organized Crime, and Drug Trafficking Organizations (DTO's). Utilized investigative techniques such as developing informants, conducting interviews, conducting surveillance, executing search warrants, executing arrest warrants, examining business records, preparing written reports, preparing search warrant affidavits, preparing affidavits to obtain court authorization for the interception of wire, electronic, and oral communications, providing testimony before the Federal Grand Jury, preparing cases for trial in U.S. District Court, and testimony at various hearings in U.S. District Court. Case Agent on 2 long-term traditional organized crime cases, one long term Outlaw Motorcycle Gang case, and one long term DTO case. Each of these cases utilized court authorized interceptions of wire, electronic and oral communications, and three of the four cases utilized the introduction of an undercover employee(s) (UCE). These four cases were successfully investigated and resulted in the dismantlement of major criminal enterprises. Served as primary UCE on a Russian Organized Crime investigation and on a separate Public Corruption matter. Both of these cases involved the UCE's direct involvement of narcotics trafficking and other criminal activities with known subjects.
- June 1996 – September 1996 – Attended the FBI academy in Quantico, Virginia.

Education

United States Military Academy at West Point, New York

July 1986 – May 1990

B.S., Civil Engineering

Training

- FBI Academy New Agent Training
- FBI SWAT New Operator Training and Certification
- FBI SWAT Weapons of Mass Destruction (WMD) Tactical Operators Certification
- FBI Physical Fitness Advisor Training and Certification
- FBI Defensive Tactics Instructor Training and Certification
- Undercover Employee Training and Certification
- Reid Technique Interview Training
- Firearms Instructor Training and Certification
- Human Intelligence (HUMINT) Tradecraft Training and Certification
- Domestic HUMINT Collectors Course

Awards

- Citation for Special Achievement
- Principal Relief Supervisor Award – 2X